

Remarks

Reconsideration and allowance of this application, as amended, are respectfully requested.

The written description portion of the specification, the claims, and the abstract of the disclosure have been amended. New claims 14-17 have been added. Claims 1-17 are now pending in the application. Claims 1 and 15 are independent. The objections and rejections are respectfully submitted to be obviated in view of the amendments and remarks presented herein. No new matter has been introduced through the foregoing amendments.

The specification has been editorially amended for conformance with 37 CFR § 1.77(c), for consistency, and to correct any informalities. The claims have been amended to overcome each ground of objection and rejection, and in general, to more fully comply with U.S. practice. In view of the aforementioned claim amendments for compliance, new dependent claim 14 has been added to define a feature of the invention previously presented in the original claim 5.

Claim 1 has been amended to define an embodiment of the invention having a frame feature "being provided with one leg attachment for each leg, the leg attachment having a conical shape and a leg end connecting thereto having a corresponding conical complementary surface *for releasable attachment to each other*, and spring members being provided in order to axially pull together the end of the leg and the leg attachment into connection with each

other." New claims 15-17 have been added to further define the scope of protection sought for Applicant's invention. Entry of each of the amendments is respectfully requested.

In view of the editorial amendments to the written description, each of the grounds of objection to the drawings, with the following exception, is respectfully deemed to be obviated. The ground of objection associated with reference character 3' is respectfully traversed. Reference character 3' appears in original drawing Figure 4. Reconsideration of the aforementioned ground of objection is respectfully requested.

35 U.S.C. § 103(a) – Bergkvist, Fong, and Thayer

Claims 1-11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over WIPO Pub. No. WO 92/02161 to Bergkvist in view of U.S. Patent No. 5,581,827 to Fong et al. (hereinafter "Fong") and further in view of U.S. Patent No. 2,646,577 to Thayer.

The rejection of claims 1-11 based on Bergkvist, Fong, and Thayer is respectfully deemed to be obviated. For at least the following reasons, the combined disclosures of Bergkvist, Fong, and Thayer would not have rendered obvious Applicant's presently claimed invention.

As indicated in the introductory remarks, instant claim 1 defines an embodiment of the invention having a frame feature "being provided with one leg attachment for each leg, the leg attachment having a conical shape and a leg end connecting thereto

having a corresponding conical complementary surface *for releasable attachment to each other*, and spring members being provided in order to axially pull together the end of the leg and the leg attachment into connection with each other."

The combined disclosures of Bergkvist, Fong, and Thayer do not teach all of Applicant's claim features. Bergkvist is deficient for at least the reasons acknowledged by the examiner (Office Action pages 7 and 8).

To rectify a deficiency of Bergkvist, the examiner relies upon the disclosure of Thayer. The examiner states that Thayer discloses the folding of tubular members of a sleeping apparatus through an attachment of the frame for foldability between a first end position supporting the frame, and a second end position, in which the legs are folded back substantially parallel to the plane of the frame parts, the attachment having a conical shape (e.g., end of element 56 closest to element 55) and an end connecting thereto having a corresponding conical complementary surface, and that spring members are provided in order to axially pull together the end of the leg and the leg attachment to connect with each other (Office Action page 8).

Thayer actually discloses, however, that "[t]he interconnection between the sections 54 and 55 includes a tapered-end pin 56 that is *secured* in the tubular section 54 and insertable into the adjacent end of section 55. One method of securing the pin, other than threading or welding, comprises tapering the pin at

a point near one end to provide a shoulder 57 and, after inserting said pin into the tubular section 54, *forcing* the tube wall inwardly as at 58 so as to positively engage the shoulder and *firmly hold the pin in place*" (column 5, lines 15-25) (emphasis added).

Thus, Thayer discloses a tapered-end pin 56 having a shoulder 57 fixedly connected to an end portion of the pin 56. The purpose of the shoulder 57 is, after insertion of the pin into the tubular section 54, to positively engage, that is to *fasten*, the tubular wall at the end 58.

That is not Applicant's presently claimed invention. Thayer does not disclose a leg attachment having a conical shape and a leg end connecting thereto having a corresponding conical complementary surface for *releasable attachment* to each other. No such complementary conical surface is provided in the sleeping apparatus disclosed by Thayer.

Furthermore, there is simply no teaching in any of Bergkvist, Fong, and Thayer that would have led one to select the references and combine them, let alone in a way that would produce the invention defined by Applicant's instant claim 1.

Therefore, the combined disclosures of Bergkvist, Fong, and Thayer would not have rendered obvious the invention defined by claim 1. Claims 2-11 are allowable because they depend, either directly or indirectly, from claim 1, and for the subject matter recited therein.

35 U.S.C. § 103(a)

Claim 12 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Bergkvist in view of Fong and Thayer and further in view of U.S. Patent No. 6,588,020 to Stewart, III et al. ("Stewart"). Claim 13 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Bergkvist in view of Fong and Thayer and further in view of U.S. Patent No. 5,542,151 to Stranski et al. ("Stranski").

The rejections of claims 12 and 13 under § 103(a) are also respectfully traversed. Regardless of what Stewart may disclose with regard to zippers and seams, and regardless of what Stranski may disclose with regard to a playpen joint, the disclosures of Stewart and Stranski do not rectify any of the above-described deficiencies of Bergkvist, Fong, and Thayer.

Accordingly, the combined disclosures of Bergkvist, Fong, Thayer, and Stewart, and the combined disclosures of Bergkvist, Fong, Thayer, and Stranski, would not have rendered obvious the embodiments of the invention defined by, respectively, Applicant's claims 12 and 13.

New claims 15-17 have been added to further define the scope of protection sought for Applicant's invention. New claims 15-17 are also allowable. Since independent claim 15 includes at least the features discussed above with respect to the rejections over the aforementioned references, the references neither


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anticipate nor would have rendered obvious the apparatus defined by any of claims 15-17.

In view of the foregoing, this application is now in condition for allowance. If the examiner believes that an interview might expedite prosecution, the examiner is invited to contact the undersigned.

Respectfully submitted,

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